

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NIKCI BOYD,

Plaintiff,

vs.

LAKES CROSSING HEALTH CENTER,

Defendant.

Case No. 2:13-cv-01487-LDG-PAL

ORDER AND ORDER TO SHOW CAUSE

(IFP App - Dkt. #1)

This matter is before the court on Plaintiff Nikci Boyd's Application to Proceed In Forma Pauperis (Dkt. #1). The court has considered the Application.

At the time Plaintiff filed her Application, she was incarcerated at the Clark County Detention Center. However, she filed an Application for unincarcerated persons, and she has not included the financial information and affidavit required by 28 U.S.C. § 1915(a)(2). That section provides that a prisoner who files a civil action without prepayment of fees or security therefor, shall submit a certified copy of the trust fund account statement for his or her account for the six month period immediately preceding the filing of the civil action. *Id.* In addition, Plaintiff has not submitted the financial affidavit certified by the prison required by 28 U.S.C. § 1915(a)(1). Accordingly, the court will deny Plaintiff's Application to Proceed In Forma Pauperis without prejudice.

Additionally, it appears that Plaintiff has not kept the court apprised of her current address. *See* Mail Returned Undeliverable (Dkt. #4). After initially being incarcerated in Clark County Detention Center, Plaintiff filed a letter requesting a copy of the docket sheet (which was docketed as a Notice of Change of Address), indicating a temporary address at 500 Galletti Way, Sparks, Nevada. The clerk's response to her letter was returned undeliverable by the U.S. Postal Service on September 30, 2013, with a notation that Plaintiff was not at that address. Plaintiff has not notified the court of her

1 Change of Address. Local Special Rule 2-2 provides that a plaintiff shall immediately file with the
2 court a written notice of any change of address. Further, the Rule warns that “[f]ailure to comply with
3 this Rule may result in dismissal of the action with prejudice.” LSR 2-2. Plaintiff has not complied.

4 Having reviewed and considered the matter,

5 **IT IS ORDERED:**

- 6 1. Plaintiff’s Application to Proceed In Forma Pauperis (Dkt. #1) is DENIED WITHOUT
7 PREJUDICE.
- 8 2. The Clerk of Court shall mail Plaintiff two blank application to proceed in forma
9 pauperis—one for incarcerated persons and one for persons out of custody. Plaintiff shall
10 have until **May 2, 2013**, in which to file a properly completed application. If Plaintiff is
11 still incarcerated, she must also provide a financial affidavit and certified inmate trust
12 account statement.
- 13 3. Failure to comply with this Order may result in a recommendation to the district judge
14 that this case be dismissed.

15 **IT IS FURTHER ORDERED:**

- 16 1. Plaintiff shall show cause, in writing, no later than **April 28, 2013**, why this case should
17 not be dismissed for her failure to comply with LSR 2-2. If Plaintiff files a Notice of
18 Change of Address, that will satisfy this order to show cause.
- 19 2. Failure to comply with this Order to Show Cause may result in a recommendation to the
20 district judge that this case be dismissed.

21 Dated this 2nd day of April, 2014.

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24 PEGGY A. LEEN
25 UNITED STATES MAGISTRATE JUDGE
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